

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Hans-Berth KLERSY

Appln. No.: 09/529,374

Filed: April 12, 2000

For: **PREFABRICATED HOUSE/BUILDING REALIZED ACCORDING
TO A METALLIC-STRUCTURE CONSTRUCTION METHOD**

Attorney Docket No.: 3933.002

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

ATTN: Box PCT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the Notification of Missing Requirements under
35 U.S.C. 371 in the United States Designated/Elected Office
dated June 12, 2000, (copy of which is attached hereto),
Applicant submits herewith:

1. A copy of the executed Declaration and Power of Attorney filed with the application on April 12, 2000 via "Express Mail" procedure;
2. A copy of the Small Entity Declaration filed with the application on April 12, 2000 via "Express Mail" procedure;
3. A copy of the transmittal letter noting that the Declaration and Power of Attorney and Small Entity Declaration was enclosed; and
4. A copy of the returned postcard showing evidence that the U.S.P.T.O. received said documents.

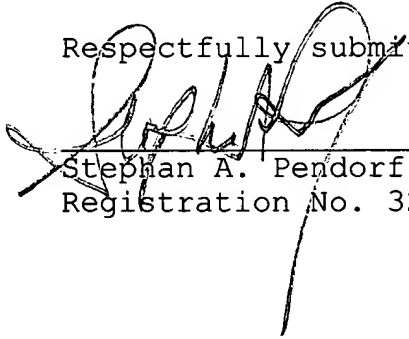
U.S. Application No.: 09/529,374
Response to Notification of Missing Requirements
under 35 U.S.C. 371 in the United States
Designated/Elected Office

Attorney Docket No.: 3933.002

The Examiner is respectfully requested to acknowledge receipt of the above documents.

Respectfully submitted,

PENDORF & CUTLIFF
P.O. Box 20445
Tampa, Florida 33622-0445
(813) 886-6085
Date: **June 22, 2000**

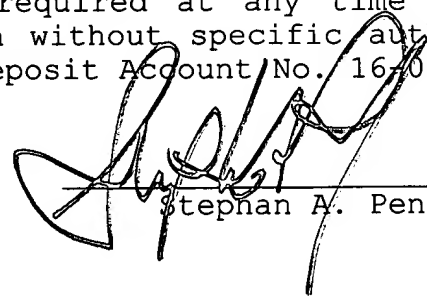


Stephan A. Pendorf
Registration No. 32,665

CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS for U.S. Application No. 09/529,374 filed April 12, 2000, was deposited in first class U.S. mail, postage prepaid, addressed: Attn: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **June 22, 2000**.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 1640877.



Stephan A. Pendorf

PENDORF & CUTLIFF

ATTORNEYS AT LAW

Patent, Trademark, Copyright, Licensing & Entertainment
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501 First Avenue North, Suite 507
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St. Petersburg, Florida 33733

Courier Delivery Address:
3940 Venetian Way
Tampa, Florida 33634

April 12, 2000

BOX PCT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

PCT/EP99/05882
- filed August 11, 1999

Re: Application of Hans-Berth **KLERSY**
"PREFABRICATED HOUSE/BUILDING REALIZED ACCORDING
TO A METALLIC-STRUCTURE MODULAR CONSTRUCTION METHOD"
Our Ref.: 3933.002

Dear Sir:

The following documents and fees are submitted herewith in connection with the above application for the purpose of entering the National stage under 35 U.S.C. §371 and in accordance with Chapter I of the Patent Cooperation Treaty:

- X this express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
- X an executed Declaration and Power of Attorney.
- X a German Language International Application with European Search Report
- X an English (translation of the) International Application.
- an English (translation of) Article 19 claim amendments.
- English translation of Article 34 amendments (annexes to the IPER) and German language IPER.
- an executed Assignment and PTO 1595 form.
- X executed Small Entity Declaration - Independent Inventor.
- X executed Small Entity Declaration - Small Business Concern.
- X Preliminary Amendment.

Honorable Commissioner of
Patents and Trademarks
April 12, 2000

Attorney Docket: 3933.002

It is assumed that copies of the International Application, the International Search Report, the International Preliminary Examination Report, and any Articles 19 and 34 amendments as required by §371(c) will be supplied directly by the International Bureau, but if further copies are needed, the undersigned can easily provide them upon request.

The Government filing fee is calculated as follows:

| | | | | | | |
|--------------------------|----|------|---|----|--------|-----------|
| Total claims | 19 | - 20 | = | __ | x \$ 9 | = \$ |
| Independent Claims | 2 | - 3 | = | __ | x \$39 | = \$ |
| Base Fee | | | | | | \$420.00* |

TOTAL FILING FEE \$420.00

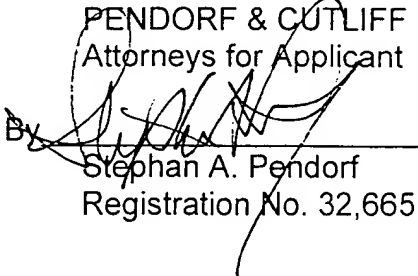
* A copy of the European Search Report is attached.

A check for the statutory filing fee of \$420.00 is attached. Please charge or credit any difference or overpayment to Deposit Account No. 16-0877. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.492 which may be required during the entire pendency of the application to said Account.

Priority is claimed from August 14, 1998, based on German Application No. 198 36 904.2.

Respectfully submitted,

PENDORF & CUTLIFF
Attorneys for Applicant

By 
Stephan A. Pendorf
Registration No. 32,665

10 Rec'd PCT/PTO 27 JUN 2000

Honorable Commissioner of
Patents and Trademarks
April 12, 2000

Attorney Docket: 3933.002

EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER: EL568146563US

DATE OF DEPOSIT: April 12, 2000

I HEREBY CERTIFY that the foregoing cover letter including the German Language International Application with European Search Report, English Language translation, Preliminary Amendment, Declaration and Power of Attorney, Small Entity Declaration, payment of fee, and a stamped receipt post card are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated and is addressed: **ATTN: Box PCT, Commissioner of Patents and Trademarks, Washington, D.C. 20231.**

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.



Bonnie L. Horst

09/529374

Atty Docket No.: 3933.002 Serial No.: _____ Filing Date: _____Applicant: NARS BERTL KLEVSYTitle/Mark: Prefabricated House/Building Beams According to a Metallic-StructuralTHE MAIL ROOM STAMP BELOW ACKNOWLEDGES RECEIPT OF THE FOLLOWING modular DOCUMENTS ON THE DATE INDICATED ON THE MAIL ROOM STAMP. Construction

| | | | |
|-------------------------------------|---|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Appl'n for Patent/PCT with: | <input type="checkbox"/> | Appl'n for TM/SM with Drawing and |
| <u>6</u> | pg of specification | <input type="checkbox"/> | specimens of the mark |
| <u>4</u> | pg of Claims | <input type="checkbox"/> | Appl'n for Copyright Registration and |
| <u>1</u> | pg of Drawings Informal/Formal | <input type="checkbox"/> | deposits. |
| <u>1</u> | pg of Abstract | <input type="checkbox"/> | Request for _____ month Extension of Time |
| <input checked="" type="checkbox"/> | Power of Attorney | <input type="checkbox"/> | Base Issue Fee Forms |
| <input checked="" type="checkbox"/> | Inventor's Declaration | <input type="checkbox"/> | Status Inquiry |
| <input type="checkbox"/> | Small Entity Status Declaration of Inventor | <input checked="" type="checkbox"/> | <u>German Lang Int'l Appl.</u> |
| <input checked="" type="checkbox"/> | Small Entity Status Declaration of <u>BAY</u> | <input checked="" type="checkbox"/> | <u>English lang translation</u> |
| <input type="checkbox"/> | <u>How Only</u> | <input type="checkbox"/> | |
| <input type="checkbox"/> | Information Disclosure Statement | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Amendment <u>Reformatory</u> | <input type="checkbox"/> | |
| <input type="checkbox"/> | Assignment | <input type="checkbox"/> | |
| <input type="checkbox"/> | Letter to Draftsman | <input checked="" type="checkbox"/> | Certificate of Mailing Date of <u>4-12-00</u> |
| <input type="checkbox"/> | pg of Informal Drawings | <input checked="" type="checkbox"/> | Express Mail No.: <u>EL 368146563US</u> |
| <input type="checkbox"/> | pg of Formal Drawings | <input type="checkbox"/> | Check No.: <u>5717</u> \$ <u>120.00</u> |

4th Dec'd PCT/PTO 12 APR 2000

STEPHAN A. PENDORF, P.A.
OPERATING ACCOUNT
3940 Venetian Way, Ph. 813-886-6085
Tampa, FL 33634

5747

63-751/631
BRANCH 09600

PAY TO THE ORDER OF Commissioner of Patents and Trademarks DATE 4-12-00 \$ 150.00
Four Hundred Twenty and 00/100 DOLLARS

FIRST UNION

First Union National Bank

R/T 063107513

FOR 3933.002

⑈005747⑈ ⑈063107513⑈ 2090002407375⑈

Security features
included
Details on back.

MP

27 JUN 2000



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

| | | |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/529374 | KLERSY | H 3933.002 |

PENDORF & CUTLIFF
P O BOX 20445
TAMPA, FL 33622 0445

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/EP99/05882 | |
| I.A. FILING DATE | PRIORITY DATE |
| 11 AUG 99 | 14 AUG 98 |
| DATE MAILED: 12 JUN 2000 | |

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),
- ☐ an Elected Office (37 CFR 1.495);
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 12 APRIL 2000 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

CHRISTINE WASHINGTON

Telephone: 703-305-37552